

REMARKS

This application has been reviewed in light of the final Office Action dated July 15, 2008. Claims 1-69, 71 and 72 are pending, with claims 1, 23, 46 and 58 being in independent form.

Claims 1-13, 17-22, 46-49, 55-61 and 67-69 and 71 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over U.S. Patent No. 6,456,298 to Kunimasa in view of Crosby (US 2005/0052469 A1). Claims 23-35, 39-45 and 72 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Kunimasa in view of Crosby and further in view of U.S. Patent No. 6,100,998 to Nagao. Claims 14, 50-52 and 62-64 were rejected under 35 U.S.C. §103(a) as purportedly unpatentable over Kunimasa in view of Cosby and further in view of Kato (US 2002/0132665 A1).

Applicant has carefully considered the Examiner's comments and the cited art and respectfully submits that independent claims 1, 23, 46 and 58 are patentable for at least the reason that the cited art does not disclose or suggest the aspects of the present application of *checking an output status flag that is set when a certain graphical drawing instruction is made valid, and determining whether the drawing process corresponding to the graphical drawing instruction can be omitted based on the state of the output status flag*. Each of independent claims 1, 23, 46 and 58 of the present application addresses such aspects, as well as additional features.

As acknowledged in the final Office Action, Kunimasa does not disclose or suggest such aspect of the present application.

Crosby does not cure such deficiencies of Kunimasa.

Crosby, as understood by applicant, proposes an apparatus, such as in a camera, that allows a low-resolution digital greeting card image or digital calendar image to contain a link to an associated original digital negative and edit list. An image object is distributed which includes a proxy image that represents a fully rendered image of the digital negative with the image operations specified by the edit list applied at some specific resolution.

Contrary to the contention in the final Office Action, Crosby does not disclose or suggest the above-mentioned aspect of the present application at all.

Indeed, Crosby is NOT relevant to the above-mentioned aspect of the present application which relates to determining whether a drawing process including a *graphical drawing* instruction out of a plurality of *graphical drawing* instructions can be omitted based on the state

of a output status flag.

Crosby does not involve graphical drawing. Instead, Crosby merely involves an approach proposed for reducing the amount of data to be stored and communicated in connection with digital greeting card image (that is, a photographic image).

Crosby says nothing whatsoever regarding graphical drawing.

Instead, Crosby, such as paragraphs [0032], [0069] and [0078], merely proposes an approach for representing image information via a low-resolution digital greeting card image or digital calendar image to contain a link to an associated original digital negative and edit list, in order to reduce consumption of storage space and communication bandwidth.

However, the approach of Crosby

does *NOT* involve graphical drawing,

does *NOT* involve setting a graphical drawing instruction valid,

does *NOT* involve an output status flag that is set when a certain graphical drawing instruction is made valid, and

does *NOT* involve determining whether a drawing process corresponding to a graphical drawing instruction can be omitted based on the state of such an output status flag.

Thus, Crosby cannot cure (and indeed shares many of) the deficiencies of Kunimasa.

The other cited references (including Kato and Nagao which were previously discussed in the record) likewise do not disclose or suggest the above-mentioned aspects of the present application.

Applicant submits that the cited art, even when considered in combination with common sense and common knowledge to one skilled in the art, simply does not render obvious the above-mentioned aspect of the present application.

Accordingly, applicant respectfully submits that independent claims 1, 23, 46 and 58, and the claims depending therefrom, are patentable over the cited art.

In view of the remarks hereinabove, applicant submits that the application is now in condition for allowance, and earnestly solicits the allowance of the application.

If a petition for an extension of time is required to make this response timely, this paper should be considered to be such a petition. The Patent Office is hereby authorized to charge any fees that are required in connection with this amendment and to credit any overpayment to our

Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Respectfully submitted,



Paul Teng, Reg. No. 40,837
Attorney for Applicant
Cooper & Dunham LLP
Tel.: (212) 278-0400